

Real Estate Regulatory Authority, Bihar

6th Floor, Bihar State Construction Corporation Building, Shastri Nagar, Patna-800023

Direction No-4 of 2021

Dated: 31st May, 2021

Important Notice

Attention: Promoters of RERA registered projects which have been completed

Sub: Extension of last date of submission of Completion certificate (CC) / Occupancy certificate, (OC) formation of Association Execution of registered conveyance deed etc.

Reference: Direction No 3 of 2021 Dated 05 april 2021 and Important Notice Dated 30 April 2021

Section 11(4) (b), (e) and (f) of Real Estate (Regulation and Development) Act, 2016 provides that:

The promoter shall—

- (b) be responsible to obtain the completion certificate or the occupancy certificate or both, as applicable, from the relevant competent authority as per local laws or other laws for the time being in force and to make it available to the allottees individually or to the association of allottees, as the case may be;
- (e) enable the formation of an association or society or co-operative society, as the case may be, of the allottees, or a federation of the same, under the laws applicable:
Provided that in the absence of local laws, the association of allottees, by whatever name called, shall be formed within a period of three months of the majority of allottees having booked their plot or apartment or building, as the case may be, in the project;
- (f) execute a registered conveyance deed of the apartment, plot or building, as the case may be, in favour of the allottee along with the undivided proportionate title in the common areas to the association of allottees or competent authority, as the case may be, as provided under section 17 of this Act;

It has been brought to the attention of the Authority that though many Promoters of the Real Estate Projects have submitted the desired documents and information regarding **Completion certificate (CC) / Occupancy certificate (OC), formation of Association of Allottees/ Flat Owners, Execution of registered conveyance deed etc**, a large number of Promoters/Developers whose registered projects are completed or whose date of completion of project are over/expired, have NOT submitted the documents/information to the Authority required under section 11(4) (b), (e) and (f) of Real Estate (Regulation and Development) Act, 2016.

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In exercise of the powers conferred under Section-37 of the Real Estate (Regulation & Development) Act, 2016 with a view to enhance transparency and accountability in the real estate sector and protect the interests of the consumers, the Authority vide its above referred Direction/Notice had directed that all Promoters/Developers of the real estate projects whose projects have either completed or their completion date has been over/expired, as per registration certificate, to submit following certificates /information to RERA, Bihar by 31 May 2021 positively , now the last date of submission of said certificates/information has been **extended till 15th June 2021**.

1. A copy of the completion certificate (CC) and occupancy certificate (OC) for the aforesaid project issued by the competent authority.
2. If the competent authority has not issued the CC/OC as yet, a copy of the each application/reports submitted by you for issuance of the CC/OC to the competent authority alongwith the receipt of the concerned Municipal/Local Authority.
3. Copies of registered conveyance deeds of completed apartments/ flats. It is required to be done within three months of the issue of CC/OC as required under section 17 of the RERA Act-2016.
4. A copy each of formation of Association of Allottees/ Flat Owners of the Project and registered Conveyance Deed of the common areas of the Project in favour of Association of Allottees/Flat Owners may be furnished. It is required to be done within three months of the majority of allottees having booked their plot or apartment or building as the case may be in the project, as required under section 11 (4) (e) of the RERA Act 2016.
5. Information regarding handing over the necessary documents, insurance papers, sanctioned plans including common areas to the Association of Allottees. It is required to be done within thirty days of the receipt of CC/OC of the Project as required under sections 16 and 17 of the Act.
6. In case, the Project has not been completed on the specified date, please submit a copy of the Extension certificate or copy of the application made to RERA, Bihar for the extension of the registration of the Project as required under section 6 of the Real Estate (Regulation and Development) Act 2016.

Non-submission of application for extension of an ongoing project will make the promoter liable for penalty under sections 59/61 of the RERA Act 2016, which may extend up to ten / five percent of the estimated cost of the Project.

This issues with the approval of Competant authority.


Officer on Special Duty
Real Estate Regulatory Authority, Bihar